

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

JOSEPH DOCKHAM,)
 Petitioner,)
)
v.)
)
MICHAEL CORSINI,)
 Respondent)
_____)

CIVIL ACTION
NO.05-11053-NMG

**RESPONDENT'S MOTION TO DISMISS WITH PREJUDICE
PETITION FOR WRIT OF HABEAS CORPUS**

Michael Corsini, the respondent, though his counsel, the Attorney General of Massachusetts, hereby moves this Honorable Court to dismiss with prejudice the Petition for Writ of Habeas Corpus filed by the petitioner, Joseph Dockham. As grounds, the respondent states that the petition is time barred pursuant to 28 U.S.C. § 2244(d)(1). The respondent relies upon the accompanying memorandum of law in support of his motion.

Respectfully submitted,

THOMAS F. REILLY
Attorney General

/s/ Daniel I. Smulow
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Date: June 22, 2005

Certificate of Compliance with Local Rule 7.1(A)(2)

I am unable to consult with the petitioner because he is presently incarcerated; however, in light of the relief sought by this motion, it is my belief that he would not assent to it.

/s/ Daniel I. Smulow

Certificate of Service

hereby certify that a true copy of the above document was served on Joseph E. Dockham, *pro se*, W-43918, Bay State Correctional Center, P.O. Box 73, 28 Clark Street, Norfolk, MA 02056-0073, by first class mail, postage prepaid, on June 22, 2005.

/s/ Daniel I. Smulow